

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CIVIL ACTION NO. 5:04-CV-647-BO(1)**

iENTERTAINMENT NETWORK, INC.,)
)
Plaintiff,)
)
v.)
)
EPIC GAMES, INC., ATARI, INC., and)
MIDWAY GAMES INC.;)
)
Defendants.)
)

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to FED. R. CIV. P. 41(a) and 41(c), plaintiff iEntertainment Network, Inc. and defendants Epic Games, Inc., Atari, Inc., and Midway Games Inc., through undersigned counsel, hereby stipulate that their respective claims and counterclaims (if any) against each other in this action are DISMISSED WITH PREJUDICE, with each party agreeing to bear its own costs and expenses, including attorneys' fees.

Dated: December 22, 2005.

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